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10 **UNITED STATES DISTRICT COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12
13 HERRING NETWORKS, INC., a
14 California corporation,

15 Plaintiff,

16 v.
17

18 AT&T SERVICES, INC., a Delaware
19 corporation; and AT&T, INC., a
Delaware corporation,

20 Defendants.

21 **CASE NO. 2:16-cv-01636-CAS-AGR**

22 **DECLARATION OF AMNON Z.
SIEGEL IN SUPPORT OF
PLAINTIFF HERRING
NETWORKS, INC.'S OPPOSITION
TO NON-PARTY AARON
SLATOR'S *EX PARTE*
APPLICATION FOR PROTECTIVE
ORDER CONTINUING
DEPOSITION DATE**

23 [Filed concurrently with Opposition]

24 Assigned for All Purposes to:
Hon. Christina A. Snyder, Court Rm. 5

25 Action Filed: March 9, 2016
Trial Date: September 19, 2017

DECLARATION OF AMNON Z. SIEGEL

I, Amnon Z. Siegel, declare as follows:

1. I am an attorney duly admitted to practice within the State of
2 California. I am a partner with the law firm Miller Barondess, LLP, counsel of
3 record for Plaintiff Herring Networks, Inc. (“Herring”). I have personal knowledge
4 of the facts set forth herein, and if called as a witness, I could and would
5 competently testify to such facts. I make this declaration in support of Herring’s
6 Opposition to Non-Party Aaron Slator’s *Ex Parte* Application for Protective Order
7 Continuing Deposition Date.

2. In September 2016, I contacted Aaron Slator’s counsel, Kerry Garvis
3 Wright, to attempt to schedule his deposition. Specifically, on September 14, 2016,
4 I reached out to Ms. Wright to determine whether she would accept service of a
5 subpoena for Mr. Slator. Nine days later, I had received no response, so I asked Ms.
6 Wright again to confirm whether she would accept service for Mr. Slator. She did
7 not respond. As a result, I informed Ms. Wright that Herring would personally
8 serve Mr. Slator with the subpoena.

3. Herring served the deposition subpoena personally on Mr. Slator on
4 September 28, 2016.

4. Within days, Ms. Wright contacted me by phone to state that Mr. Slator
5 was unavailable on October 19, 2016, the day on which his deposition was
6 scheduled in the subpoena. After conferring with Ms. Wright and counsel for
7 Defendants AT&T Services, Inc. and AT&T, Inc. (together, “AT&T”), all parties
8 agreed to reschedule the deposition for November 17, 2016.

5. At that time, Ms. Wright informed me that AT&T had agreed to pay for
6 Mr. Slator’s representation as a witness in this case.

6. On November 15, 2016, Brian Hennigan of Hueston Hennigan LLP
7 sent me an email at 5:55 p.m., requesting a continuance of the deposition and also
8

1 | provided me notice of his *Ex Parte* Application should I not agree.

2 7. I advised Mr. Hennigan by telephone that Herring had been
3 cooperatively working to obtain Mr. Slator's deposition for months and that this
4 date had been agreed to weeks ago. I also responded in writing to Mr. Hennigan's
5 request to postpone Mr. Slator's deposition in a letter dated November 16, 2016. A
6 true and correct copy of this letter is attached hereto as **Exhibit A**.

I declare under penalty of perjury under the laws of the State of California
that the foregoing is true and correct.

9 Executed on this 16th day of November, 2016, at Los Angeles, California.

/s/ Amnon Z. Siegel
Amnon Z. Siegel

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